

LAWYERS' ADVISORY COMMITTEE MINUTES

September 11, 2007

TRENTON, NJ

Chairperson John Morton opened the meeting with Judges Wizmur, Ferguson and Kaplan in attendance.

1. The minutes from the June 6, 2007 LAC meeting were approved.

2. Committee Reports:

a. Local Rules Committee:

Warren Martin reviewed two letters; one from Richard Zucker and one from Sharon Levine. The letter from Sharon Levine suggested the adoption of a local rule that would establish a simplified notice and objection procedure permitting deposit of estate cash in U.S. Government-backed money market mutual funds. There was also a discussion on a local rule concerning changing the response time for reply briefs.

Warren Martin suggested that a Local Rules Subcommittee be reconstituted. A vote was taken and a reconstituted local rules subcommittee was formed that consists of 10 members of the LAC. The subcommittee will work to consider and formalize proposals that will be approved by the Board of Judges under the Court's Annual Rule Making Cycle in March 2008.

A discussion of auctioneer rules continued from prior meetings. The auctioneer rule proposal submitted to the Judges was not approved and has been sent back to the subcommittee with questions from the Judges.

b. Chapter 13 Subcommittee

Jamie Finberg , committee chairman was not present..

Added Provisions to Chapter 13 model plan: A discussion began concerning attachments to the Model Chapter 13 plan containing boilerplate provisions dealing with various issues, and whether the attachments were appropriate. Judge Wizmur stated that these attachments could be dealt with in the "other provisions" portion of the model plan.

It was decided that the issue of attaching boilerplate provisions would be reviewed by the Chapter 13 subcommittee with a report to be given at the next meeting.

c. Attorney Discipline Mentor Committttee: Bunce Atkinson was not able to attend the meeting. As a result, there was no report.

d. Clerk's Report

No clerk's report was given

e. Liaison Reports

US Trustee: Martha Hildebrandt reported that filings had increased. She also stated that policies and procedures were being adopted on the closing of cases. There was also a discussion on an upcoming seminar.

District Court: There was no report

NJ Bar Bankruptcy Section: There was no report

IRS: There was no report from IRS

NJ Attorney General: Rachel Lehr was present and stated that there was nothing to report.

B. Old Business

John Morton discussed an issue with CM/ECF docket sheets. When a case is dismissed and then reinstated, the notation that it is dismissed still shows on the docket sheet. It was reported that the IT personnel at the court are aware of the problem and are working to solve it locally as well as nationally.

C. New Business

Local Rules Committee: The issues before the local rules committee appear in the committee reports.

Additional Rule Changes: Jim Waldron was not present to discuss this matter

Closing Remarks:

The next four meeting dates will be selected and reported to the members before the next meeting.